STUDY MATERIAL FOR OPSC MAINS 2022
ODISHA AND ITS NEIGHBOURHOOD RELATIONS

INTRODUCTION

In a constitutional set-up where powers are distributed between the centre and various federating units, the units act independently in the exercise of their internal sovereignty. In such cases it is natural to expect conflicts of interest arise between the units. Hence, in order to maintain the strength of the Union, it is essential that there should be adequate provision for inter-governmental collaboration as well as constitutional mechanisms for the settlement of disputes between the units as well as their prevention by consultation and joint action.

Nature of Inter-State Relations in the Indian Federal Setup:

- **Cooperative Nature:**
  - **Cooperation among States:** States collaborate on common interests like river water sharing, joint infrastructure projects, and regional development.
  - **Inter-State Councils:** Established under the Constitution to foster cooperation and coordination among states on various issues.
- **Collaborative Aspect:**
  - **National Significance Collaboration:** States cooperate with each other and the central government on significant national matters such as disaster management, internal security, and international relations.
  - **National Development Council:** Provides a platform for collaborative efforts.
- **Competitive Element:**
  - **Competition for Resources:** States compete to attract investments, generate employment, and improve infrastructure within their territories.
  - **Social Indicator Competition:** States also compete on social indicators like literacy rates, healthcare, and poverty reduction.

Importance of Harmonious Inter-State Relations:

- **National Unity and Integration:**
  - Essential for maintaining national unity and ensuring the cohesive functioning of the country as a singular entity.
- **Economic Development:**
  - Facilitates economic growth by enabling the free movement of goods, services, and people across state boundaries, fostering a conducive environment for development.
- **Law and Order Maintenance:**
  - Crucial for upholding law and order by promoting collaboration among states to combat crime, terrorism, and ensure citizen safety.
- **Dispute Resolution:**

- Aids in resolving disputes between states, preventing potential conflicts and tensions from escalating in India's federal system, where states possess significant autonomy.

Issues in Inter-State Relations in India:

- **River Water Sharing Disputes:**
  - Conflicts over water distribution from rivers like Cauvery and Narmada.
- **Language Disputes:**
  - States differing on the imposition of Hindi as the sole official language.
- **Boundary Disputes:**
  - Conflicting claims over demarcation; e.g., Assam-Nagaland or Maharashtra-Karnataka.
- **Development Disparities:**
  - Varying levels of development leading to unequal contributions and resource distribution concerns.
- **Inter-State Armed Conflict:**
  - Instances like firing along state boundaries leading to heightened tensions.

Way Forward for Harmonious Inter-State Relations:

- **Encouraging Cooperation and Dialogue:**
  - Promote open dialogue and mutual understanding to build trust and resolve conflicts.
- **Addressing Development Disparities:**
  - Implement measures to reduce economic gaps between states for equitable growth.
- **Strengthening Federal Institutions:**
  - Enhance the capabilities and roles of Inter-State Councils and Zonal Councils for better coordination.
- **Promoting Economic Integration:**
  - Foster economic collaborations through free trade zones or common market initiatives for shared prosperity.
- **Cultural Exchange Promotion:**
  - Encourage cultural exchanges among states to nurture mutual respect and a sense of national identity.

APTI PLUS

MECHANISMS FOR INTER-STATE COORDINATION AND DISPUTE RESOLUTION

Under the Indian Constitution, Part XI deals with Administrative relations, and Part XIII deals with trade and commerce. The relationship between the states in India is cooperative, with the states working together to implement national policies and programs and to address issues of common concern. However, there can be tensions between the states on certain issues, such as the distribution of resources, allocation of funding, etc.

Inter-governmental disputes within a federation like India, comprising multiple governments functioning at different levels, often lead to tensions and differences. To ensure the smooth functioning of such a diverse governance structure, the Indian Constitution provides various mechanisms for resolving these disputes. These mechanisms encompass both judicial and extra-judicial avenues, aiming to address a wide spectrum of disputes.

Constitutional Mechanisms:

Jurisdiction of the Supreme Court (Article 131):

The provision of Article 131 in the Indian Constitution delineates the exclusive and original jurisdiction of the Supreme Court concerning legal disputes arising between states and the union or between states themselves. This article draws its essence from the erstwhile section 204 of the Government of India Act, 1935, and was amended by the Constitution (7th Amendment) Act, 1956.

Jurisdictional Coverage:

Article 131 vests the Supreme Court with exclusive original jurisdiction in disputes involving:

- The Government of India versus one or more States.
- The Government of India and any State or States on one side against one or more other States on the other.
- Disputes between two or more States.

These disputes must pertain to questions of law or fact upon which the existence or extent of a legal right depends.

Exceptions to Jurisdiction:

Article 131 does not apply to disputes arising from pre-constitutional treaties, agreements, covenants, or similar instruments that continue post-constitution and explicitly exclude the jurisdiction of the Supreme Court.

Definition of "Legal Right":

The term "legal right" in Article 131 has been expounded by judicial interpretations, drawing upon views expressed by legal scholars like Salmond. A legal right refers to an interest recognized and protected by legal principles, the infringement of which would constitute a legal wrong. It's an interest safeguarded by the rule of law, irrespective of whether it's actionable in a court of law.

Procedure:

- In important cases, the Supreme Court may summon the Attorney-General of India and the Advocate-Generals of States to present their viewpoints, ensuring comprehensive consideration before delivering a judgment.

Reference by the President:

- The President of India can refer questions of law or fact of public importance to the Supreme Court for advisory opinions.
- The Court conducts hearings and provides its opinions in open court.

Examples:

- The 1958 Kerala Education Bill case: The Constitutional validity of certain provisions of the Kerala Education Bill 1957 was questioned, and the Supreme Court's opinion was sought.
- The 1963 Sea Customs case: The Supreme Court's opinion was requested regarding certain provisions of the Sea Customs Act, 1878.

Diverse Rulings:

- Over time, the Supreme Court has delivered contradictory judgments on the applicability and scope of Article 131.
- In instances like the 1977 State of Rajasthan v Union of India and the 1978 State of Karnataka v Union of India cases, the Court exercised its jurisdiction under Article 131 to resolve disputes between the Central and State governments on various issues, highlighting federal concerns.

Contrasting Views on Jurisdiction:

- The Court has grappled with divergent opinions regarding whether Article 131 can be invoked solely for legal questions or whether it extends to political differences between the central and state governments led by different parties.

Inconclusive Resolutions:

- Recent cases like the 2011 State of Madhya Pradesh v Union of India and the 2015 State of Bihar v Jharkhand have witnessed differing opinions within the Court regarding the extent to which the constitutionality of enactments can be challenged under Article 131.

Article 261:

Full faith and credit shall be given throughout the territory of India to public acts, records, and judicial proceedings of the Union and of every state.

Inter-State Council (ISC) in India

The Inter-State Council (ISC) in India, established under Article 263 of the Constitution, is a constitutional body aimed at addressing inter-state disputes, facilitating cooperation, and advising on matters of common interest among states and the Union.

Functions of ISC:

- **Dispute Resolution and Advisory Role:**
  - The ISC has the mandate to investigate and discuss disputes between states, advise on matters of common interest, and make recommendations for better coordination and policy actions.
- **Scope of Discussion:**
  - It has a broad scope covering subjects wherein states or the Union and states share a common interest, excluding issues under specific mandates like NDC and Finance Commission.

Composition:

- **Members:**
  - Includes the Prime Minister as Chairperson, Chief Ministers of all states, Chief Ministers of Union Territories with Legislative Assembly, Administrators of Union Territories without a Legislative Assembly, and nominated Union Ministers.
- **Permanent Invitees:**
  - Other Union Ministers with independent charge can be invited when their respective subjects are on the agenda.

Key Challenges Faced by ISC:

- **Non-Permanent Nature:**
  - The ISC is established through a Presidential Order and lacks permanency, which can result in unilateral alterations by the Central Government. Recommendations have been made to grant it constitutional or statutory status for more authority and stability.
- **Advisory Nature:**
  - The ISC is advisory, and its recommendations are not binding. However, there's a need for a mechanism ensuring due consideration of its recommendations by the Centre and states.
- **Lack of Technical Expertise:**

- The council lacks technical expertise necessary for comprehensive recommendations on complex matters. Suggestions include empowering the ISC with advisory bodies or tribunals for expert inputs.

- **Infrequent Meetings:**
  - Despite being mandated to meet three times a year, the ISC's infrequent meetings—only 13 since 1990—reflect a lack of seriousness and focus. Regular, frequent meetings with detailed agendas are essential for addressing issues effectively.

Recommendations to Enhance ISC's Functioning:

- **Granting Permanent Status:**
  - Suggested granting constitutional or statutory status to the ISC for greater significance and stability.
- **Strengthening Advisory Capacity:**
  - Emphasizing technical expertise and expert advisory bodies to enhance policy research and investigation capabilities.
- **Regular and Detailed Meetings:**
  - Advocating for more frequent meetings with comprehensive agenda preparation to promote consensus-building and focused deliberations.

The ISC plays a vital role in fostering cooperation and resolving disputes among states and the Centre. Strengthening its structure, enhancing expertise, and ensuring regular engagements are imperative for its effectiveness and broader consensus-building.

Articles 301 to 307:

Part XIII of the constitution deals with the trade, commerce, and Intercourse within Indian territory.

ARTICLE	DESCRIPTION
301	• Trade, commerce, intercourse throughout the country shall be free. • This freedom is applicable to both inter-state and intra-state trade, commerce, intercourse.
302	**Provides for restrictions:** • Parliament can impose restrictions on the above freedom in public interest. • Parliament cannot discriminate between states except in the case of scarcity of goods in any part of India.
303	• State legislatures can impose restrictions with that state or within that in public interest. • For such bill previous sanction of the President is required. • State cannot discriminate between the states.

304	• States can impose any tax on goods imported from other state or UT if similar goods are manufactured in that state.
305	• The freedom is subject to nationalisation laws. • Parliament or state law can provide monopoly in favor of Centre or State. Such laws can exclude citizens or others completely or partially from carrying such trade.

Extra Constitutional Mechanisms:

Zonal Councils:

Establishment and Purpose:

- **Establishment**: Formed under the States Reorganisation Act (1956) and the Seventh Constitutional Amendment Act (1956).
- **Composition:** Divided into five zones (Northern, Central, Eastern, Western, and Southern), each housing its Zonal Council.
- **Objectives**: Intended to foster collaboration, cooperation, and coordination among states, Union Territories (UTs), and the Central government.

Structure:

- **Leadership:** The Union Home Minister acts as the common chairperson. Chief Ministers from zone states rotate as vice-chairpersons for one-year terms.
- **Members:** Comprised of Chief Ministers, two other ministers from each zone state, and administrators from Union Territories.

Goals and Functions:

- Foster emotional integration, reduce regionalism, and address linguistic and regional tendencies.
- Encourage collaboration in economic and social matters, facilitate uniform policies, and ensure balanced regional development.
- Recommendations cover economic and social planning, linguistic minorities, border disputes, transportation, etc.
- Zonal Councils convene biannually with agendas proposed by involved states for coordinating inter-state policies.

Recommendations:

- Various commissions, like the Punchhi Commission and Sarkaria Commission, advocate revitalizing Zonal Councils to promote federalism and bolster their role in the federal structure.

North-Eastern Council (NEC):

Establishment and Purpose:

- **Establishment**: Established by the North-Eastern Council Act of 1971, as a non-constitutional institution.
- **Composition:** Comprises Governors, Chief Ministers of the eight North Eastern states, and nominated members by the President.
- **Aim:** Acts as a regional planning body for the North Eastern Region (NER) states.

Functions and Objectives:

- Develops a coordinated regional plan addressing common regional concerns and prioritizing projects benefitting multiple states.
- Reviews states' measures for maintaining regional security and facilitates economic and social development.
- A significant portion (30%) of the NEC's budget is allocated for developing underprivileged areas.
- Sikkim joined the NEC in 2002, and it serves as a platform for regional development initiatives.

Recommendations:

- The NEC requires reorientation, better resources, and upgraded functions to better assist states in executing projects, promoting research, and providing a strategic vision for the region.

INTER-STATE RIVER WATER DISPUTES

Inter-state river water disputes have been persistent challenges in India due to the federal nature of the country and the shared nature of river basins, which often traverse multiple states.

The rising disputes over river waters in India can be attributed to various factors:

- **Demographic Pressures:** The increasing population in river basins leads to higher demand for water resources, putting stress on river water availability and management.
- **Shift in Agriculture:** Changing agricultural patterns, particularly towards water-intensive crops like paddy and sugarcane, intensify water consumption, contributing to conflicts over water distribution.
- **Climate Change Impact:** Climate change projections indicating reduced water availability in river basins exacerbate existing tensions. Factors like decreased river flow due to altered rainfall patterns amplify disputes over water-sharing.
- **Uneven Water Distribution:** Disparities in water distribution and the growing variability in rainfall patterns lead to disputes over the allocation and sharing of water resources among states.
- **State Bifurcation:** When states are divided or reorganized, pre-existing water-sharing agreements or projects become contentious issues among newly formed states, as witnessed in the case of Telangana and the Godavari water dispute.

- **Political Interference:** The intersection of water issues with politics, especially during elections, has led to increased politicization. Regional political parties often exploit these disputes for electoral gains, magnifying conflicts for their own advantage.

Context of Inter-State River Water Disputes:

- **Resource Importance:** Water is a crucial resource impacting various sectors like health, agriculture, and industry. Its uneven distribution across different regions due to seasonal variations and storage capacity makes its management and equitable distribution crucial.
- **Federal Nature and River Basin Dynamics:** India's 25 major river basins cross state boundaries, necessitating cooperation between states and the Central government for effective preservation, fair distribution, and utilization of river water.

Historical Evolution of Water Governance:

- **Pre-Independence Centralization:** Under British rule, the Secretary of State held centralized power over governmental decisions, including provincial disputes, leaving little authority with provinces, except for limited autonomy in irrigation matters.
- **Post-Independence Legislative Powers:** Post-independence, India's Constitution (Schedule 7) delineated legislative powers between the Centre and states, granting the Union authority over interstate water regulation while allowing states autonomy in water utilization for specific purposes.
- **State Reorganization:** The reorganization of states post-independence, initially based on political and historical factors and later guided by the States Reorganisation Act (1956), resulted in the formation of 14 states and six union territories. However, this reorganization often overlooked ecological considerations, leading to evolving state boundaries.

Challenges and Legislative Response:

- **Complex Resource-sharing Agreements:** The changes in state boundaries following reorganization complicated existing resource-sharing pacts, leading to inter-state river disputes.
- **Legislative Framework:** To address potential disputes arising from state reorganization, the Union government enacted the Interstate (River) Water Disputes Act, 1956 (ISRWDA) and the River Boards Act, 1956. These acts aimed to create a framework for governing and managing interstate rivers.

Inter-state river water disputes in India remain a critical issue due to evolving state boundaries, changing resource dynamics, and increased demands for freshwater. The legislative framework established to manage these disputes seeks to address challenges arising from historical and geographical factors but continues to face complexities due to the federal structure and diverse regional interests.

Constitutional Provisions:

Article 246: Allocation of Legislative Powers

- This article delineates legislative authority between the Parliament and State Legislatures through three lists: Union List (List I), State List (List II), and Concurrent List (List III).
- Water falls under Entry 17 of List II, State List, granting states legislative power over water sources, irrigation, drainage, etc. However, this is subject to Entry 56 of List I, Union List.
- Entry 56 of List I provides Parliament with the authority to enact laws concerning the regulation and development of rivers and valleys in the public interest, thus giving it significant legislative powers regarding water resources.

Article 262: Adjudication of Water Disputes

- Article 262(1): Empowers Parliament to enact laws for adjudicating disputes or complaints concerning the use, distribution, or control of waters in inter-state rivers or river valleys.
- Article 262(2): Grants Parliament the authority to enact laws limiting the jurisdiction of the Supreme Court or any other court regarding such disputes, regardless of other constitutional provisions.

Significance of Article 262(2):

- **Restriction on Court Jurisdiction:** Article 262(2) allows Parliament to enact laws that restrict the jurisdiction of courts, including the Supreme Court, in inter-state water disputes. If such legislation is absent, the dispute may be referred to the Supreme Court or higher courts for resolution.
- **Parliamentary Discretion:** The usage of "may" in Article 262(2) indicates that the enactment of laws restraining court jurisdiction is discretionary and depends on Parliament's choice.

Implications:

- **Exclusion of Article 131**: The provision of Article 262(2), "Notwithstanding anything in this Constitution," implies that other constitutional provisions (such as Article 131 conferring primary jurisdiction to the Supreme Court in inter-state disputes) are overridden if Parliament enacts laws under Article 262(2).

Article 136:

- Empowers the Supreme Court to adjudicate on the earlier ruling by the other courts or any other Tribunal that can be challenged.

These constitutional provisions delineate the legislative authority and mechanisms for resolving inter-state river water disputes, providing Parliament with substantial powers to enact laws and potentially limit court jurisdiction, ensuring a framework for resolving disputes in the interest of effective water resource management.

Central Laws:

Inter-State River Water Disputes Act, 1956:

- **Objective:** To adjudicate disputes related to inter-state rivers and river valleys.
- **Provisions:** Empowers the central government, upon receiving a state government's request and deeming negotiations ineffective, to constitute a water disputes tribunal through official notification.
- **Tribunal Responsibilities:** Investigates the matter and issues a report with its decision within three years.
- **Usage:** Several Tribunals have been set up under this Act to resolve inter-state water disputes.

The Interstate River Water Dispute Act of 1956 has faced several challenges and limitations leading to prolonged disputes and ineffective resolution mechanisms:

- **Multiple Tribunals:** The need for separate tribunals for each dispute results in delays, and several tribunals have taken decades without delivering a verdict.
- **Enforcement Issues:** Lack of provisions for effective enforcement mechanisms hinders the implementation of tribunal decisions.
- **Lack of Finality:** Rulings of the tribunal are frequently challenged in the Supreme Court, reducing the authority and finality of the tribunal's decisions.
- **Political and Sacred Perception:** Control over water is viewed as a sacred right, leading to reluctance in compromise and politicization of disputes, hindering resolution.
- **Absence of Guiding Principles**: The Act lacks specific principles for tribunals to follow when resolving water disputes.
- **No Age Limit for Tribunal Members:** There is no age limit for tribunal members, potentially affecting the effectiveness and longevity of their tenure.

The 2017 Inter-State River Water Disputes (Amendment) Bill aimed to address some of these issues:

- **Dispute Resolution Committee (DRC):** Introducing a committee for amicable negotiation before referring disputes to the tribunal.
- **Single Tribunal:** Instead of multiple tribunals, a single tribunal would be established, and timelines for dispute resolution would be set.
- **Technical Assistance:** Appointment of assessors for technical aid to the tribunal, enhancing their expertise.
- **National Data Bank:** Establishment of a national data bank for river basins to improve data collection and management.

However, challenges and issues persisted with the 2017 Amendment Bill:

- **Uncertainty with Tribunal Benches:** The creation of temporary benches and their differentiation from the current system remained unclear.

- **Supreme Court Appeals:** The Supreme Court's authority to hear appeals against water tribunals led to delays in the judicial process.
- **Enforcement Ambiguities:** Ambiguities in enforcing tribunal decisions remained unresolved.

Potential ways forward to improve the Interstate River Water Dispute Act and its resolution mechanism include:

- **Inter-State Council (ISC):** Utilizing the ISC for dialogue and conflict resolution among states.
- **River Basin Organizations (RBOs):** Establishing RBOs under the River Boards Act of 1956 to regulate interstate rivers and basins.
- **Mediation**: Transitioning towards mediation as a flexible and informal approach to resolving disputes.
- **Supply Side Management:** Addressing issues through increasing water supply and resource management.
- **Policy Framework Implementation:** Aligning with the National Water Policy for rational water use and conservation.
- **Institutional Models:** Developing permanent mechanisms for resolving water disputes between states.
- **River Interconnection:** Exploring interconnecting rivers for equitable water distribution in basin areas.
- **SDG 6 Implementation:** Embracing the concept of 4Rs (Reduce, Reuse, Recycle, Recover) for water management to achieve Sustainable Development Goal 6.

The resolution of interstate river water disputes requires comprehensive reforms, institutional changes, and collaborative efforts among states to ensure equitable water sharing and effective dispute resolution mechanisms.

River Boards Act, 1956:

- **Purpose**: Allows for the establishment of river boards or advisory bodies by the central government upon request from concerned parties.
- **Functions:** Facilitate optimal use of water resources in inter-state rivers and execute schemes for irrigation, water supply, hydroelectric power development, and flood control.

Agreements on Inter-State Rivers:

- **Negotiations:** Efforts are made to resolve disputes through mutual discussions between concerned states, resulting in various inter-state agreements over time. These agreements aim to settle disputes through amicable solutions.

Water Tribunals:

- **Under the Inter-State River Water Disputes Act:** States can approach the Central Government for dispute resolution.

- **Tribunal Authority:** The decision of the Water Disputes Tribunal is final and binding and cannot be reviewed. However, within three months of the decision, states can refer the matter back to the Tribunal for further consideration if they find any aspect requiring clarification or explanation.
- **Role of Central Government:** The Central Government can facilitate negotiations before referring disputes to the tribunal but historically has often directly referred disputes to the Tribunal without extensive negotiation attempts.

Challenge and Review:

- **Supreme Court Jurisdiction:** States have the option to challenge tribunal decisions in the Supreme Court under Article 136. Additionally, individuals can approach the Supreme Court under Article 32, linking water disputes or tribunal decisions with alleged violations of fundamental rights.

These legislative frameworks, acts, and tribunal mechanisms aim to provide a structured approach to resolve inter-state river water disputes, enabling adjudication, establishing boards for resource management, and allowing for legal recourse if disputing parties find the need for further clarification or challenge tribunal decisions.

Tribunal	States Concerned	Date of Constitution	Current Status
Godavari Water Disputes Tribunal	Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh, Orissa	April 1969	Report and decision given in July 1980.
Krishna WaterDisputes Tribunal – I	Maharashtra,Andhra Pradesh, Karnataka,	April 1969	Report and decision given in May 1976.
Narmada Water Disputes Tribunal	Rajasthan, Madhya Pradesh, Gujarat, Maharashtra	October 1969	Report and decisiongiven in December 1979. Narmada Control Authority (NCA) was constituted to implement the decision.
Ravi & BeasWater Tribunal	Punjab, Haryana, Rajasthan	April1986	Report and decision given in April1987. Further Report is pending.
Cauvery Water Disputes Tribunal	Kerala, Karnataka, Tamil Nadu, Puducherry	June 1990	Report and Decision given on 5 February 2007. Supreme Court modified the decision on 16 February 2018. The Cauvery Water Management Authority (CWMA) and Cauvery Water Regulation Committee (CWRC) were constituted to implement the modified decision.
Krishna Water Disputes Tribunal -II	Karnataka, Andhra Pradesh, Maharashtra, Telangana	April 2004	Report and decision given on 30 December 2010. SLPs filed pending in the Court. The term of the Tribunal has been extended after the bifurcation of Andhra Pradesh. The matter is under adjudication in the Tribunal.
Vansadhara Water DisputesTribunal	Andhra Pradesh, Odisha	February 2010	Report and decision submitted on 13 September 2017. Further Report is pending.
Mahadayi Water DisputesTribunal	Goa, Karnataka, Maharashtra	November 2010	Report and decision submitted on 14 August 2018. Further Report is pending.
Mahanadi WaterDisputes Tribunal	Chhattisgarh, Odisha	March 2018	Under adjudication bythe Tribunal. Report and decision are awaited.

Source: Central Water Commission

The resolution of inter-state water disputes in India through water tribunals encounters several significant challenges, leading to prolonged delays and difficulties in achieving effective resolution. Here are the key issues associated with these tribunals:

Key Challenges with Water Tribunals:

- **Protracted Proceedings and Delays:**

- Complex procedural intricacies involving numerous stakeholders across various governmental bodies contribute to prolonged proceedings and extreme delays in dispute resolution.

- **Opacity in Institutional Framework:**
  - Lack of clear guidelines and transparency in the institutional framework governing tribunal proceedings can lead to confusion and inefficiency in the resolution process.
- **Limited Multidisciplinary Composition:**
  - Tribunals primarily consist of judicial members without adequate representation from multidisciplinary fields, potentially limiting expertise and perspectives necessary for comprehensive decision-making.
- **Inadequate Water Data:**
  - Insufficient and inconsistent water data makes it challenging to establish a baseline for adjudication, hampering the tribunal's ability to make informed decisions.
- **Politicization of Water Disputes:**
  - Inter-state water disputes have become arenas for political maneuvers, leading to conflicts becoming political battlegrounds. This politicization hampers resolution efforts and escalates defiance by states, prolonging litigations.
- **Ambiguity and Lack of Effective Mechanisms:**
  - Ambiguous settlement mechanisms and the absence of efficient mediation and negotiation platforms by the Centre contribute to delayed agreements and ineffective investments in water-related infrastructure.
- **Entanglement with Center-State Conflicts:**
  - The intertwining of inter-state water disputes with broader Center-State conflicts exacerbates the challenges, leading to significant resource losses and hindering consensus-building efforts.

Recommendations:

- **Need for Transparency and Clear Guidelines:** Establish transparent guidelines and procedures within the institutional framework to enhance clarity and efficiency in tribunal proceedings.
- **Incorporation of Multidisciplinary Expertise:** Ensure a diverse composition of tribunals with experts from various fields relevant to water management for more holistic decision-making.
- **Data Availability and Transparency:** Enhance data collection and dissemination to provide a robust foundation for adjudication and informed decision-making.
- **Depoliticization and Mediation Focus**: Detach water disputes from political agendas and emphasize mediation and negotiation as primary conflict resolution methods to avoid prolonged litigations.
- **Center-Facilitated Mediation:** Encourage proactive mediation efforts by the Center to facilitate dialogue and consensus-building among disputing states, aiming for harmonious and mutually agreeable resolutions.

Addressing these challenges by enhancing transparency, incorporating expertise, improving data availability, depoliticizing disputes, and prioritizing mediation can contribute significantly to expediting resolution processes and fostering effective water governance in India.

GEOGRAPHY OF ODISHA

STUDY MATERIAL FOR OPSC MAINS 2022
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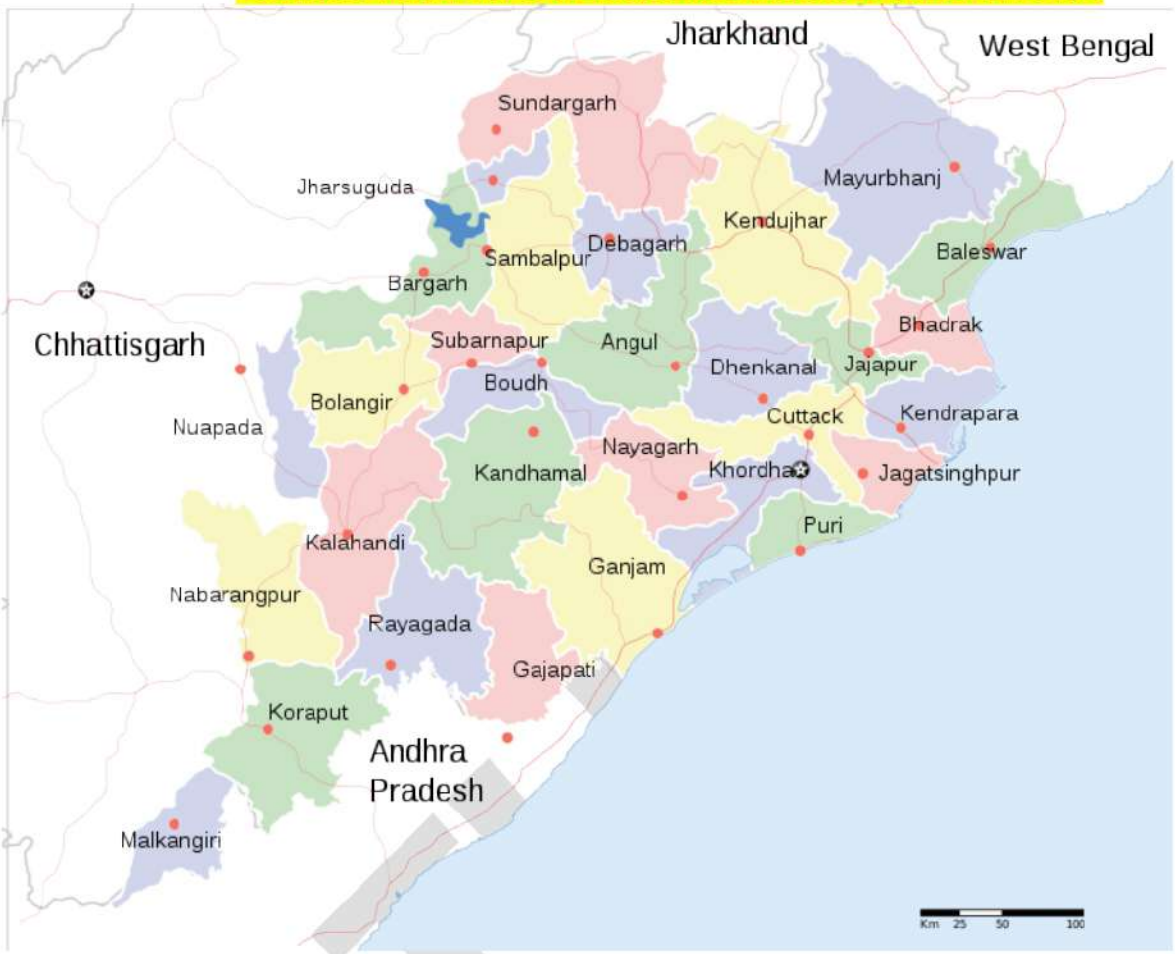

Odisha has border disputes with four neighbouring States for 96 villages. The villages are spread of 10 districts of the State.

Most of the major rivers of Odisha flow eastwards and ultimately empty into the Bay of Bengal. However, depending on the source they can be distinguished into four groups:

- Rivers that originate outside Odisha (the Brahmani, the Subarnarekha, the Ib, and the Mahanadi).
- Rivers originating in Odisha (the Baitarani, the Budhabalanga, the Salandi, and the Rushikulya).
- Rivers which originate inside Odisha, but flow through other states (the Bahuda, the Vamsadhara River, and the Nagavali River).
- Rivers which originate inside Odisha, but are tributaries of rivers which flow through other states (the Machkund, the Sileru River, the Kolab, and the Indravati River).

ISSUES BETWEEN ANDHRA PRADESH AND ODISHA

Odisha Government has approached Andhra Pradesh in two cases. While the State has lost in one case, in the other, the court has asked the two States to maintain the status quo. Supreme Court has dismissed the case filed by the Odisha Government in 1968 against Andhra Pradesh over Bormutha and 12 hamlets.

In the case filed by the State Government against Andhra Pradesh over 21 Kotia group of villages, the Supreme Court has asked both States to maintain the status quo till the matter is disposed of.

Besides, the Odisha Government has disputes with Andhra Pradesh over 21 villages in Ganjam district, 16 villages in Gajapati district and five villages in Rayagada.

Kotia Gram Panchayat Border Dispute:

Historical Background of the Dispute:

- The dispute over the administrative control of Kotia Gram Panchayat, consisting of 21 revenue villages, has persisted for over seven decades.
- **Pre-1936:** The villages under the Kotia panchayat were part of the Jeypore Estate.
- **1936:** The Government of India demarcated Odisha from the erstwhile Madras Presidency, which later became part of present-day Andhra Pradesh.
- **1942:** The Madras government contested the boundary, leading to orders for re-demarcation of the two states.
- **1955:** When Andhra Pradesh was created, these villages were not surveyed by the Andhra Pradesh government.
- The conflict emerged in 1955 when Andhra Pradesh attempted to collect rent from Kotia villages, previously under Odisha's jurisdiction, leading to protests from Odisha.

Characteristics of the Villages:

- The villages in question are predominantly inhabited by Kondh tribals.
- They have a history of left-wing extremism and are rich in mineral resources, including gold, platinum, manganese, bauxite, graphite, and limestone.

Present Scenario:

- The region currently experiences a peculiar situation where residents possess dual identity documents from both states, including voter IDs, land pattas, and other identification.

Governance Complexities:

- Phagunasineri village notably has two Sarpanches, representing Andhra Pradesh and Odisha respectively, who implement welfare schemes and exercise authority.
- Villagers benefit from welfare schemes provided separately by both states, including subsidized food grains, educational support, and pensions.

Legal Actions and Supreme Court Intervention:

- **Legal Dispute:** Odisha filed a case in the Supreme Court, seeking jurisdiction over the 21 disputed villages.
- **Supreme Court's Ruling (2006):** The Supreme Court ordered a status quo, maintaining the existing possession over Kotia, but a resolution remains elusive despite ongoing legal proceedings.
- Both states have conducted separate panchayat elections in the disputed region, causing overlapping administrative claims and creating further tensions.

Political Maneuvering and Investments:

- Andhra Pradesh and Odisha are heavily investing in the Kotia region, striving to gain control and support by providing infrastructure, services, and financial aid.
- **Andhra Pradesh Panchayat Elections**: Andhra Pradesh recently conducted panchayat elections in three villages within the Kotia cluster, which has been contested by Odisha. This action escalated tensions between the two states regarding administrative control over these areas.
- **Odisha's Response:** In response to Andhra Pradesh holding elections, Odisha's Chief Minister, Naveen Patnaik, inaugurated projects worth Rs 18 crore in the area. Additionally, the Odisha government moved the Supreme Court challenging the conduct of elections by the Andhra Pradesh government. Last year, the Odisha government conducted elections to three-tier Panchayati Raj elections in the region.

Efforts at Resolution and Criticism:

- Attempts at resolution include discussions between Chief Ministers and Chief Secretary level talks, but progress has been slow and inconclusive.
- The Naveen Patnaik-led Odisha government has faced criticism for perceived inaction in safeguarding Kotia's jurisdiction under its control.

Escalating Tensions and Concerns:

- There are apprehensions about the dispute escalating further, with reports of Andhra Pradesh mobilizing its administration to extend its claims into more Odisha villages.

The Kotia border dispute represents a prolonged administrative conflict between Odisha and Andhra Pradesh, resulting in a unique scenario where villagers experience dual citizenship, receiving benefits and recognition from both states. Despite legal interventions and political negotiations, the issue remains unresolved, causing uncertainties and tensions in the region.

Polavaram Project:

Background and Objectives:

- **Location:** Situated on the Godavari River, spanning Eluru District and East Godavari District in Andhra Pradesh.
- **Commencement:** Project began in 2004 and holds National Project status conferred by the Central Government of India.
- **Objectives**: Primarily aimed at irrigation, hydropower generation, and flood control measures.

Controversies and Concerns:

- **Displacement:** Foreseen displacement of 276 villages and 44,574 families, especially affecting tribal populations, raising humanitarian concerns.
- **Environmental Impact:** Opposition by environmentalists due to the submergence of archaeological sites, wildlife sanctuaries, coal deposits, and agricultural lands.
- **Activist Opposition:** Human rights and environmental activists like Medha Patkar voiced objections citing displacement issues and ecological consequences.

Project Progress and Hurdles:

- **Clearance and Halt:** Received environmental clearance in 2005 following the preparation of a forest management plan and rehabilitation proposal. Construction intermittently halted in 2006 for additional clearances from the Ministry of Forests and Environment.

Interstate Disputes and Legal Proceedings:

- **Odisha and Chhattisgarh Objections:** Raised objections in the Supreme Court against land submergence, compensation demands, and rehabilitation for displaced tribals.
- **Allegations:** States alleged the absence of necessary permissions from the Environment Ministry for project execution, leading to a legal standoff.

Ongoing Legal Proceedings and Issues:

- **Supreme Court Proceedings:** Currently under review, Supreme Court has identified 13 issues to resolve disputes related to the project, focusing on backwater impact studies, safety assessments, and public hearings in affected regions.
- **Contentions:** Concerns regarding safety assessments, compensation, and rehabilitation remain focal points of discussion among the involved states.

The Polavaram Project, envisioned for irrigation, hydropower, and flood control, has been marred by controversies surrounding displacement, environmental impact, and interstate disputes. Presently under the scrutiny of the Supreme Court, multiple issues are being addressed to mitigate concerns related to

displaced populations, environmental degradation, and the impact on surrounding regions and states involved in the project.

Vamsadhara river project:

The Vamsadhara River, also known as the Banshadhara River, holds significant importance as an east-flowing river between the Rushikulya and Godavari rivers, flowing through the states of Odisha and Andhra Pradesh in India.

Key Points About the River:

- Originating from the border of Thuamul Rampur in Kalahandi district and Kalyansinghpur in Rayagada district of Odisha, the river runs for approximately 254 kilometers before merging with the Bay of Bengal at Kalingapatnam, Andhra Pradesh. Its catchment area spans around 10,830 square kilometers.
- Tourist attractions such as Mukhalingam and Kalingapatnam in Srikakulam district are situated along its banks.
- The Mahendratanaya River, a significant tributary, originates in Gajapati district of Odisha and joins the Vamsadhara River in Andhra Pradesh, upstream of the Gotta barrage. The Regulapadu reservoir in Andhra Pradesh is under construction to store water from the Mahendratanaya River for irrigation purposes.

Interstate Water Disputes and Projects:

- The Vamsadhara river basin encompasses 8,015 square kilometers in Odisha and 2,815 square kilometers in Andhra Pradesh. The two states agreed to utilize an estimated 115 thousand million cubic feet (TMC) of water from the river, sharing it in a 50:50 ratio.
- Andhra Pradesh has initiated projects like the Gotta barrage and Neredi barrage to harness its share of water. However, Odisha's actions, such as diverting Vamsadhara river waters to the Rushikulya river basin by constructing the Harabhangi dam, have led to disagreements and objections between the states.
- The river water disputes tribunal under the Interstate River Water Disputes Act was formed to address these issues. The tribunal upheld the 50:50 water sharing ratio agreed upon in 1962 and permitted certain projects in Andhra Pradesh related to the river.
- Andhra Pradesh aims to construct the Neradi bridge across the river but requires Odisha's consent, which has been a point of contention since 1962.
- Additionally, Andhra Pradesh plans to link its Nagavali river with the Vamsadhara and expand the Madduvalasa Reservoir project to enhance irrigation facilities in the region.

Background and Tribunal's Final Report:

- Odisha raised water-related grievances against Andhra Pradesh in 2006, leading to the formation of an Interstate Water Disputes Tribunal.

- Odisha's complaints included concerns about the adverse effects of Andhra Pradesh's projects, such as the construction of a canal affecting the river's flow, and disagreements regarding the utilization and control of Vamsadhara river water.
- In 2021, the Vamsadhara water disputes tribunal released its final report, affirming the 50:50 sharing of available water in the river basin on a yearly basis between both states, aligning with the earlier draft report.

Janjhavati project:

The issue of land acquisition for completing the Janjhavathi project. Lands in Odisha will be submerged with the construction of the project. Though Andhra Pradesh offered a Rehabilitation and Resettlement package for the displaced, Odisha is yet to accept it.

The Janjhavati project, situated on the Nagavali river in Rajyalakshmipuram village of Komarada mandal, Vizianagaram district, is a significant irrigation project notable for its distinction as the first rubber dam constructed in India. The project, inaugurated on January 1, 2006, by the former Chief Minister of Andhra Pradesh, YS Rajasekhara Reddy, was built with a capacity of 4 TMC (Thousand Million Cubic Feet) to facilitate irrigation across approximately 25 thousand acres in Vizianagaram district.

Nagavali River: Originating in the Eastern Ghats at an altitude of 915 meters in Kalahandi District, Odisha, the Nagavali river flows a total of 256 kilometers, out of which 161 kilometers traverse through Odisha, 2 kilometers mark the Odisha-Andhra Pradesh border, and approximately 93 kilometers flow through Andhra Pradesh. Srikakulam town is situated on the banks of this river.

Joint Survey and Displacement Concerns: Both Andhra Pradesh and Odisha conducted a joint survey to identify lands and villages that would be affected by the reservoir's construction. Around 1000 acres of land in Odisha, spanning various villages and panchayats, are expected to be impacted.

Construction Challenges: The construction of the Janjhavati reservoir was estimated to cost around 13.50 crores initially. However, the project faced obstacles due to the need for resolution with the Odisha government. The Odisha government's stance on not conceding any land led to prolonged discussions and increased project costs.

Partial Implementation: To address the delay, a rubber dam was temporarily established in 2005, facilitating limited irrigation starting from January 1, 2006. However, the project's full implementation and comprehensive irrigation provision remained pending.

Recent Developments: Efforts by political representatives, including Union Minister Ashok Gajapathi Raju, MLC Dwarapureddy Jagadish, MLA Chiranjeevulu, MP Rammohan Naidu, and engineering officials, to engage with Odisha's Chief Minister Naveen Patnaik in 2015 aimed to resolve the project's issues. A

subsequent government order released funds amounting to Rs. 39 crores in 2016 for the Janjhavati project's completion.

Farmers' Protest: In June 2017, farmers from Tulasiraminayuduvalasa and Gollavanivalasa villages staged protests, obstructing Janjhavati canal works due to non-payment of compensation for the lands allocated for canal construction.

The Janjhavati project, designed to facilitate irrigation and benefit agricultural lands, has faced challenges due to land acquisition, joint state negotiations, cost escalations, and pending compensation issues for affected farmers, impeding its full-scale implementation.

The Release Of Water For Bhahuda River:

The Bahuda River, originating in the Jarada Hills of Gajapati District, traverses through Ganjam District and enters Srikakulam District in Andhra Pradesh before meeting the Bay of Bengal. Spanning a length of 95 kilometers and with a catchment area of 1200 square kilometers, it serves the irrigation needs of the region. In 1975, an agreement between the Chief Ministers of Andhra Pradesh and Odisha led to the construction of a dam on this river, releasing 1.4 feet of water to Srikakulam and benefiting over 23,000 acres of land across 90 villages. Recently, there has been an issue related to the release of water for Bhahuda river.

Additionally, there have been collaborative efforts between Odisha and Andhra Pradesh in the energy sector:

- Hydro-Electric Project: In 2013, both states agreed to jointly construct a 60 MW hydro-electric project across the Sileru River in Maoist-affected Malkanagiri district. The estimated cost for this project was around Rs 350 crore, with the expenses and power generation shared equally between the states. NOC is pending.
- Modernization of Machhakunda Hydroelectric Plant: The existing Machhakunda hydroelectric plant, located on the border of the two states, is set to undergo renovation and modernization at a cost of about Rs 300 crore. Following renovation, the power generated (120 MW) will be equally shared by Odisha and Andhra Pradesh, resolving a longstanding dispute over power distribution.
- Balimela Reservoir: Constructed as a joint project between Andhra Pradesh and Odisha, the Balimela Reservoir on the Sileru River has a gross storage capacity of 3610 million cubic meters. Odisha developed a 360 MW power house by redirecting Balimela waters to the Potteru sub-river basin. However, a dispute between the states persists regarding the installation of hydropower units (30 MW capacity) at the Balimela dam's base. Odisha contends that the site for the power house falls within its territory, leading to a prolonged disagreement over the installation.
- Kolab River Surplus Water Diversion: An agreement between Odisha and Andhra Pradesh permits the diversion of Kolab river surplus water from the Upper Kolab reservoir to the Sileru/Machkund river

basin for enhancing hydroelectric potential. However, this diversion scheme has yet to materialize due to unresolved issues between the two states.

These collaborative energy projects between Odisha and Andhra Pradesh, while showing promise, have also encountered obstacles related to territorial disputes and jurisdictional disagreements, leading to delayed or stalled developments in certain aspects of these projects.

Left Wing Extremism:

Over the last two decades, Odisha has transformed from a Naxal hotbed, perched at a crucial juncture between Andhra Pradesh and Chhattisgarh, into a state that has effectively marginalized Left Wing Extremism (LWE). This success story is the result of meticulous learning, strategic innovations, and resilient efforts by the state's police force.

The state of Odisha has made significant strides in countering Left Wing Extremism (LWE), leading to a notable reduction in districts designated as LWE-hit and a decline in casualties over the years. Presently, only ten districts are categorized as LWE-hit: Bargarh, Balangir, Kalahandi, Kandhamal, Koraput, Malkangiri, Nabarangpur, Nuapada, Rayagada, and Sundargarh.

The statistics from the past few years showcase the considerable success of Odisha's anti-Naxal operational strategy. In recent years, the number of civilian casualties and security personnel martyred during anti-Naxal operations has notably decreased. For instance, in the last year, two civilians were killed, and one jawan (soldier) was martyred, compared to 23 civilians and three jawans in 2016. This significant reduction is indicative of the success achieved in diminishing Naxal activities in the state.

Currently, there are approximately 250 active Naxals in Odisha, with fewer than 25 being natives of the state. Despite this reduced number, law enforcement agencies like the Special Operation Group (SOG), Special Intelligence Wing (SIW), and police forces remain vigilant and maintain robust security measures in these areas.

The Naxal insurgency took root in Odisha during the late 1960s and gained significant influence by the early 2000s. The state faced severe challenges following unprecedented attacks on police stations and armories in districts like Kalimela, Motu, Koraput, and Nayagarh. These incidents acted as a catalyst, compelling the State Government to reevaluate its approach towards the growing menace of Left Wing Extremism.

In 2007, the Odisha Special Security Force (OSSF) comprising retired defense personnel was established to safeguard critical installations in Naxal-affected districts. Despite earlier formations of Special Operation Group (SOG) and Special Intelligence Wing (SIW) in 2004, these units lacked operational strength to counter the Naxal threat effectively.

Following the Nayagarh attack, Odisha Police bolstered the SOG and SIW units, leveraging intelligence-based operations to dismantle Naxal strategies and bases. The state focused on comprehensive anti-extremist training, setting up specialized training centers, and making such training mandatory for new recruits and officers. Additionally, the state formed various specialized forces, including the District Volunteer Force, Odisha Special Striking Force, Special Security Battalions, and recruited tribal youths as constables.

A pivotal step towards infrastructural development in Naxal-affected areas was the construction and inauguration of the Gurupriya Bridge in Swabhiman Anchal, once a cut-off area in Malkangiri district. This bridge provided vital connectivity to previously isolated villages, fostering development and diminishing the stronghold of Maoists.

Moreover, the deployment of Central Reserve Police Force (CRPF) and Border Security Force (BSF) battalions increased substantially under the Centre's Security Related Expenditure (SRE) scheme. The security camps in Odisha were equipped with helipads, enabling swift access to remote areas, and night landing capable helipads fitted with advanced sensors were established in key locations for efficient operations, especially during the night.

Odisha Police also engaged in community outreach programs and provided medical assistance to locals in Naxal-affected districts, showcasing a commitment to win the trust of tribal communities. The state's surrender and rehabilitation policy, coupled with strategic initiatives, led to a notable rise in Naxal surrenders, allowing areas to be removed from the LWE-hit designation.

To further enhance their operational capabilities, the Odisha police have decided to deploy advanced drones in their operations against left-wing extremists who are now confined to smaller pockets. A recent strategy conference on Left Wing Extremism highlighted the concerted efforts of district police, intelligence wings, special operation groups, and central armed police forces, acknowledging the substantial improvement in countering LWE in the state.

The authorities recognize the potential for Maoists to attempt demonstrative acts of violence, especially ahead of general elections, to assert their presence and bolster the morale of their members. Hence, the focus has intensified on the Kandhamal-Kalahandi and Boudh axis, which has emerged as a new focal point for Maoist activities. Collective efforts by all stakeholders are crucial in gaining a decisive advantage in the fight against the CPI (Maoist) insurgency in these areas.

Cannabis Cultivation:

The Special Enforcement Bureau (SEB) of Andhra Pradesh is coordinating joint efforts with the Odisha police to eradicate ganja (cannabis) cultivation, particularly in the Andhra Odisha Border (AOB) region. A

significant portion (75%) of cannabis cultivation persists in the AOB, with ganja from Odisha transported via Vizag to other parts of the country.

Ganja is cultivated in 11 mandals across Visakhapatnam and East Godavari districts in Andhra Pradesh and in over 20 districts in Odisha. Andhra Pradesh police have utilized drones, artificial intelligence, and satellite imaging to identify and locate ganja cultivation areas in the Vizag Agency. This advanced technology aids in pinpointing cannabis cultivation locations for eradication.

Due to the risk of frequent raids, cannabis cultivation shifted from roadside areas to remote locations along the AOB. Activists from tribal organizations emphasize the need to track down major players from Tamil Nadu and Kerala involved in ganja smuggling to effectively curb the trade originating from Vizag Agency and the AOB.

SEB plans joint operations with Odisha police to eliminate cannabis plantations in the AOB. The coordinated efforts between law enforcement agencies from Andhra Pradesh and Odisha aim to combat the persistent challenge of cannabis cultivation and smuggling in the AOB, with a focus on eradicating the illegal practice and disrupting the trade networks involved.

Forest land disputes-an example:

The border standoff between Odisha and Andhra Pradesh in Koraput district escalated recently, specifically regarding the claiming of forest land in Sunabeda village under Pottangi block.

Reports suggest that the tension escalated when individuals from Dekapa village in Andhra Pradesh attempted to encroach upon the forest land in Sunabeda village. This encroachment led to a confrontation between the locals of Sunabeda and individuals from Dekapa, resulting in one person from Sunabeda being seriously injured in the altercation.

This recent dispute is unfolding in Tutangi Panchayat of Dumbriguda Mandal in Visakhapatnam Agency, adding to the ongoing border disputes between Andhra Pradesh and Odisha in different areas.

Meeting between CMs of the 2 states:

Andhra Pradesh's Chief Minister YS Jagan Mohan Reddy and Odisha's Chief Minister Naveen Patnaik met to resolve longstanding inter-state issues and address shared concerns regarding Left Wing Extremism and ganja cultivation. Several matters were discussed during their meeting in Bhubaneswar, aiming to foster mutual cooperation and find solutions beneficial to both states.

Key Discussions and Outcomes:

- **Institutional Mechanism:** Both Chief Ministers agreed to establish an institutional mechanism led by the Chief Secretaries of Andhra Pradesh and Odisha to address outstanding inter-state issues.

- **Legacy of Cooperation:** Acknowledged the historical collaboration and assistance between the states during natural disasters, emphasizing the importance of continued mutual support.
- **Key Issues Discussed:**
  - **Kotia Villages**: Addressed the dispute over administrative control of Kotia villages, where recent resolutions from villagers sought merger with Andhra Pradesh, leading to tension.
  - **Neradi Barrage on River Vamsadhara:** Focused on land acquisition and completion of the barrage, following the Vamsadhara Water Disputes Tribunal's recent permission for construction.
  - **Janjhavathi Project:** Urged cooperation for land acquisition in Odisha concerning the project's completion and rehabilitation of displaced individuals.
  - **Polavaram Irrigation Project:** Deliberated on the project's impact on Odisha's territory and the ongoing legal battles.
- **Water Resources and Certificates:** Discussed mutual release of water for Bahuda river, issuing No Objection Certificates for Balimela and Upper Sileru projects.
- **Tackling Issues:** Agreed to collaborate in addressing Left Wing Extremism and ganja cultivation, significant concerns for both states.
- **Language and Education:** Pledged support for establishing chairs for Odia and Telugu languages in respective universities, appointment of language teachers in border districts, and mutual promotion of languages through educational initiatives.

The meeting concluded on a positive note, emphasizing the resolve to overcome disputes, promote cooperation, and address various developmental challenges through mutual understanding and coordinated efforts.

ISSUES BETWEEN WEST BENGAL AND ODISHA

Land Border Dispute:

Background:

- The genesis of border disputes between Odisha and West Bengal dates back to the separation of Orissa from Bengal, Madras, and Central Provinces in 1936.
- Presently, the dispute involves 14 villages in Balasore and Mayurbhanj districts, primarily in Bhograi and Jaleswar blocks of Balasore district.
- Udaypur, Sankhamedi, and Jaleswar regions have been at the center of contention between the two states.

Conflict and Resource Harvesting:

Territorial Conflict:

- West Bengal's opposition to Odisha's initiatives, like establishing a Marine Police station at Udaypur, has led to confrontations.
- Allegations of West Bengal's encroachment on Odisha's land, destroying property, and disrupting areas like PaanBaraja (betel leaf cultivation).

Illegal Activities and Conflict Occurrences:

- Border absence has facilitated illegal activities and conflicts arising between shopkeepers and residents regarding livelihood and business operations.

Livelihood and Business Issues:

- Instances of destruction of shops, farms, houses, and PaanBaraja by West Bengal authorities under the pretext of their land ownership.
- Conflicts erupt when shopkeepers from either side initiate businesses in the other state's areas.

Impact on Villagers:

- Villagers in these disputed regions face identity issues due to the absence of proper documentation to ascertain their domicile status.
- Lack of identification hampers their access to essential services like rations and voting rights, creating hardships for the affected communities.

Challenges in Sankhamedi Village:

- **Population:** Sankhamedi houses around 160 families, totaling 556 individuals and 283 voters.
- **Voting and Territorial Disputes:** Villagers cast votes in both Odisha and West Bengal due to conflicting registrations.
- **Land Revenue and Settling Process:** Odisha collected land revenue until 1992, while West Bengal included the village in its territory in 1990, creating difficulties for residents.
- **Education Impact:** Children attending Odia medium schools face admission issues in other Odia schools due to documentation constraints. Consequently, they enroll in West Bengal educational institutions.
- **Deprivation of Facilities:** Disputes led to the cessation of facilities such as loans, pensions, and housing under various schemes.

Similar Issues in Bordering Villages:

- Approximately 81 bordering villages in Bhograi and Jaleswar blocks encounter similar problems due to state disputes.
- The Balasore Collector has directed an investigation to address the issues faced by Sankhamedi and neighboring villages.

Hindrance to Development:

- The ongoing border dispute adversely affects the development of the bordering areas of both states.
- The conflict impedes growth and progress in regions such as Udaypur, Sankhamedi, and Jaleswar, inhibiting the overall socio-economic development of the affected regions.
- The conflict leads to linguistic and physical tensions between residents of both states and hampers the overall development of the disputed regions.

Way Forward (applicable in case of dispute with other states as well):

- **Agreement on Boundary Demarcation:**
  - Formulate a joint agreement based on a common rationale for demarcating the boundary line between the two states.
  - Create guidelines and circulars outlining the demarcation process to ensure clarity and consensus.
- **Local Border Administration and Record of Rights:**
  - Establish agreements for local border administration post-demarcation to incorporate local knowledge and reflect the interests of borderland populations.
  - Issue Record of Rights to the concerned landowners in Udaypur and Sankhamedi villages after demarcation.
- **Inclusion in Welfare and Service Delivery Mechanisms:**
  - Include borderland populations in state welfare and service delivery mechanisms to combat criminal activities and enable tax collection.
  - Ensure their integration into legal trade structures, thereby fostering lawful economic practices.
- **Strengthening Cross-Border Security and Cooperation:**
  - Enhance cross-border security measures and mutual cooperation by involving local communities in border management.
  - Mobilize border populations for vigilance, thereby improving efficiency and inclusiveness in peace-building initiatives.
  - Appoint special personnel dedicated to maintaining stability and peace along the borders from both state governments.
- **Promotion of Mutual Respect and Connection:**
  - Encourage a sense of mutual respect and appreciation for each other's territories among the people.
  - Foster people-to-people connections to build stronger ties and reduce tensions between the states.
- **Establishment of Administrative Offices:**
  - Establish administrative offices near the border from both states to monitor and ensure adherence to common administrative rules and regulations.

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- These offices can facilitate coordination and cooperation between the states for better border management and dispute resolution.

Illegal Sand Mining:

The longstanding dispute between the Odisha and West Bengal governments over sand mining on the Subarnarekha riverbed has reached a resolution following an inquiry conducted by officials from both sides. This joint effort aimed to demarcate the border for sand mining on the Subarnarekha riverbed based on an order issued by the National Green Tribunal (NGT) four years ago.

The measurement exercise spanned from Sadarghat in Bilashpur to Sunakania and from Bilashpur to Gobarghata on the riverbed. This inquiry, sanctioned by the NGT, has cleared the way for sand mining to proceed in a lawful and legitimate manner.

The demarcation involved the installation of 34 pillars from the Odisha side and 42 pillars from West Bengal. This recent measurement considered the previously installed pillars, undertaken four years ago, as a reference point. The objective was to ascertain whether the installed poles aligned accurately with the established boundaries.

This conflict, rooted in the Subarnarekha river sand mining issue, traces its origins back to 1926 and escalated in 2016 when Sudarsan Das lodged a petition with the NGT.

Social activist Sudarshan Das filed a writ petition before the NGT, highlighting the border-related issues affecting the riverbed, particularly concerning sand mining and its associated pollution. Consequently, the NGT directed the two districts to demarcate the border, leading to the recent joint efforts.

The tribunal's directive to demarcate the border was initially issued in 2018, but progress was stagnant until September 2020 when officials from both states convened in Dantun, initiating a digital survey by ORSAC. Subsequently, revenue officials met and jointly demarcated the border in December 2020.

Notably, the NGT provided directives to the Union Government on sand mining in border areas in 2020, integrated into the Regulating and Monitoring of Sustainable Sand Mining Policy 2020. District collectors have been tasked with overseeing sand mining activities in their respective areas based on these rules.

The Rasgulla Controversy:

The concept of 'Geographical Indication' (GI) is centered around identifying and protecting products that possess unique qualities, characteristics, or reputation due to their geographical origin. The Geographical Indications of Goods (Registration and Protection) Act, 1999 in India safeguards such products and their link to their place of production. GI-tagged products can fall into various categories such as agricultural, handicraft, manufactured goods, and foodstuffs, based on their nature and origin.

The controversy between Odisha and West Bengal emerged regarding the origin of the beloved sweet dish, the 'Rasgulla.' West Bengal obtained the GI status for 'Banglar Rasogolla' in 2017, followed by Odisha receiving the GI tag for 'Odisha Rasagola.' Both states claimed their version of Rasgulla's origin, leading to debates on the dish's historical background, color, texture, and taste.

The differences between the two versions are significant, as summarized below:

- **Claimed date of origin:** Banglar Rasogulla claims its origin in the 1860s, while Odisha Rasagola dates back to the 12th century.
- **Historical Background**: Banglar Rasogulla was popularized by Nobin Chandra Das in Kolkata, while Odisha Rasagola was used as an offering in the temple of Lord Jagannath.
- **Color:** Banglar Rasogulla is white, whereas Odisha Rasagola has a light brown color.
- **Texture:** Banglar Rasogulla is spongy, whereas Odisha Rasagola is soft and tender.
- **Taste:** Banglar Rasogulla is sweet, whereas Odisha Rasagola is less sweet in taste.

The Chennai GI office initially granted the GI tag to Banglar Rasogulla due to its uniqueness and traditional nature, rejecting Odisha's objections about the dish's origin. However, later in 2019, the Odisha Small Industries Corporation Limited and Utkal Mistanna Byabasayee Samiti successfully obtained the GI tag for Odisha Rasagola. The decision expanded the interpretation of the law by emphasizing that a geographical indication can be granted if the product's unique qualities, characteristics, and reputation are attributable to its geographical origin.

The distinctiveness in color, texture, and taste of Odisha Rasagola, along with historical references in Odisha's texts, formed the basis for granting the GI tag to Odisha. This decision aimed to protect the interests of both states' producers, prevent consumer deception, ensure economic benefits for both regions, and prevent future conflicts between the parties.

In conclusion, granting separate GI tags to both Odisha and West Bengal for their respective Rasagola varieties was deemed appropriate, considering the distinctiveness and historical references linked to each version. This step ensures the protection of unique regional products and fosters economic growth while preventing potential conflicts.

Decoding Odisha's crisis of migration of labourers from Bengal:

During COVID, influx of cases and infections from West Bengal into Odisha prompted the Odisha government to raise concerns over the West Bengal returnees, especially since a considerable percentage of positive cases in Odisha were linked to West Bengal.

Historically, labor migration from Odisha to West Bengal has existed since the colonial era. Workers from Odisha migrated to West Bengal, particularly for jobs in industries such as jute mills, where they found employment opportunities and better wages.

However, the shutdown of some industries in West Bengal due to low wages, irregular payments, and other challenges led to the migration of local laborers from West Bengal to other cities within the state or back to their native places in Odisha in search of work.

The COVID-19 pandemic and subsequent lockdowns exacerbated job insecurity and unemployment, compelling migrants from West Bengal to return to their native places in Odisha.

Odisha shares a border with West Bengal across number of villages, with the majority located in Balasore district and a few in Mayurbhanj district. Despite efforts to seal roads and patrol border areas to restrict movement, the desire of migrants to return home remained strong.

The delay in providing assurances of food, shelter, and healthcare to returning migrants, combined with the comparatively better healthcare facilities in Odisha, contributed to migrants' eagerness to return from Bengal to Odisha.

The Odisha government, acknowledging the challenges posed by migration and the risk of COVID-19 spread, took measures such as sealing border roads and waterways. However, due to the geographical complexity of border villages and human limitations, complete control over infiltration remained challenging.

Efforts by local leaders and authorities, along with the implementation of quarantine measures, were undertaken to identify individuals entering from West Bengal and mitigate potential risks.

Other Tiffs:

Subhash Chandra Bose (Netaji): Both West Bengal and Odisha have connections to Subhash Chandra Bose. Kolkata holds institutions where Bose studied, while Cuttack, Odisha, has the Ravenshaw Collegiate School, associated with his education. The dispute over Bose's legacy doesn't necessarily stem from rivalry but rather showcases the shared historical connection and contributions made by Bose to both regions.

Reference in the National Anthem ("Jana Gana Mana"): The reference to Utkala (Odisha) ahead of Banga (West Bengal) in the national anthem raises questions or discussions about the significance of this order. It highlights the historical, cultural, or symbolic representation of Odisha's importance that predates Bengal in the national anthem.

Chhau Dance: The Chhau dance, a martial, tribal, and folk form, has been inscribed on UNESCO's Intangible Cultural Heritage list. This dance form is practiced across regions including Purulia in West Bengal, Mayurbhanj in Odisha, and Seraikela in Jharkhand. Despite the shared practice of this art form in multiple states, there doesn't appear to be a significant dispute or rivalry between West Bengal and Odisha over its ownership or recognition.

These references and questions highlight the interconnectedness and shared heritage between West Bengal and Odisha in various cultural, historical, and artistic aspects. While there might be discussions or debates regarding the prominence or references in national symbols or cultural heritage, it doesn't necessarily denote an intense rivalry between the states but rather showcases the rich and intertwined history and cultural legacy of the regions.

ISSUES BETWEEN JHARKHAND AND ODISHA

Land Border Dispute:

Odisha and Jharkhand have dispute over two villages in Mayurbhanj, five villages in Keonjhar and six villages in Sundargarh.

The Baitarani River is one of the significant rivers in Odisha, India, known for its cultural and agricultural importance. Disputes over the river's course have led to border disagreements between Odisha and Jharkhand, primarily due to the river's changing path and its implications for the territorial boundaries between the states.

Origin and Flow:

- **Source:** The Baitarani River originates from the Gonasika or Guptaganga hills in Keonjhar district, Odisha. It starts as a stream that resembles the nostril of a cow and flows underground for a brief distance before becoming visible again.
- **Course:** Initially flowing in a northerly direction, the river then sharply changes its path by 90 degrees, heading eastward. It traverses a distance of approximately 360 kilometers (220 miles) before finally draining into the Bay of Bengal.
- **Tributaries:** The river is joined by 65 tributaries, 35 from the left side and 30 from the right side. Tributaries like Budhi, Kanjori, Ambajhara, Mushal, Kusei, and Salandi contribute to the Baitarani's flow.

Geographical Reach:

- **Basin Spread:** The river basin spans across 42 blocks in eight districts of Odisha. It holds vital significance for the region's agriculture and livelihoods.
- **Odisha-Jharkhand Border**: While a significant portion of the river basin lies within Odisha, a small section of the upper reach is situated in the neighboring state of Jharkhand.

Coastal Plain and Drainage:

- **Coastal Plain:** The river, along with others like Mahanadi and Brahmani, contributes to the "Hexadeltaic region" or the "Gift of Six Rivers," shaping the coastal plain of Odisha.
- **Drainage:** The Baitarani's journey through the plains creates a deltaic zone at Akhuapada before it finally joins the Brahmani River at Dhamra mouth near Chandabali, eventually draining into the Bay of Bengal.

Significance:

- **Cultural Importance:** The Baitarani River holds significance in local epics and legends, contributing to the heritage and folklore of the region.
- **Agricultural Role:** The river serves as a crucial source of water for agricultural irrigation, supporting the livelihoods of communities along its course.

Brahmani Water Dispute:

The Brahmani River, a significant seasonal river in Odisha, is formed by the merging of the Sankh and South Koel rivers. It traverses various districts of Odisha and ultimately drains into the Bay of Bengal at Dhamra. However, recent developments, including dam constructions and proposed hydropower projects in Jharkhand on the upstream tributaries of the Brahmani, particularly the Sankh and Koel, have raised concerns about its flow and potential impact on the river in Odisha.

River Route and Tributaries:

- The Brahmani River is formed by the merging of the Sankh and South Koel rivers near Rourkela.
- The Sankh River originates near the Jharkhand-Chhattisgarh border, while the South Koel arises in Jharkhand, near Lohardaga, both in the Chota Nagpur Plateau.
- These rivers traverse through multiple districts in Odisha, contributing to the Brahmani's flow.

Construction Activities in Jharkhand:

- Jharkhand has initiated the construction of dams, barrages, and hydropower projects on the upstream tributaries of the Brahmani, particularly the Sankh and Koel rivers.
- A significant number of dams, barrages, and power projects have been built or approved in Jharkhand, which might impact the water flow into the Brahmani River.

Potential Threat to Brahmani's Flow:

- The construction activities in Jharkhand on the tributaries Sankh and Koel could significantly reduce water flow into the Brahmani River in Odisha.
- Concerns have been raised that if these projects proceed as planned, the Brahmani River, particularly areas near Rourkela, might face water scarcity and could potentially dry up outside of the monsoon season.

Government Response:

- Opposition parties and some members of the Odisha Legislative Assembly have highlighted the potential threat to the Brahmani River's flow and urged the state government to take immediate action.
- However, the Odisha government's response to this issue appears to be minimal, despite the urgency expressed by some political representatives.

Odia-medium Issue:

The Odisha government has taken a significant step to address concerns regarding the medium of instruction in Odia schools situated in Jharkhand. Following a report on Odisha schools in Jharkhand shifting from Odia to Hindi medium, the Odisha government has decided to intervene in the matter and engage with the Jharkhand administration.

School and Mass Education Minister of Odisha highlighted that the government had made considerable efforts at various levels to persuade the Jharkhand government to retain Odia-medium schools. Emphasizing the significance of education in the mother tongue, he referred to Article 350 (b) of the Indian Constitution, which safeguards linguistic minorities. He also mentioned the alignment of the New Education Policy 2020 with the ethos of Samagra Sikshya, encouraging education in the mother tongue or regional language whenever feasible.

Odia-speaking communities in Jharkhand, represented by the Odisha Bhasha Vichar Mancha, have been advocating for the revival of Odia-language schools. They have faced numerous challenges such as the appointment of Hindi-speaking teachers after the retirement of Odia-medium teachers, the absence of Odia books despite NCERT copyright authorization, and the merging of Odia-medium schools into Hindi-medium ones in areas with a significant Odia-speaking population. Additionally, the recent exclusion of Odia from the primary teachers' training programme by the National Council of Teachers' Education (NCTE) has compounded the difficulties faced by Odia people in Jharkhand.

To address these concerns, the Odia language, literature, and culture department of the Odisha government has urged the School and Mass Education Department to provide Odia textbooks and take steps to fill vacant teaching positions in these schools. This move has been received positively by advocates for the inclusion of Odia in teachers' training and the revival of Odia schools, expressing gratitude to the Odisha government for its proactive stance.

Kudmi Community Issue:

- The Kudmi community asking for Scheduled Tribe (ST) status and the inclusion of their language in the Constitution's Eighth Schedule.
- There were protests by the community in Jharkhand and areas of West Bengal.
- The Kudmis of the Chota Nagpur plateau were Scheduled Tribes under the British but were dropped from the list once India gained independence.

Kudmi community:

- Kudmis are mainly a peasant community, with their population concentrated in the Chota Nagpur plateau of West Bengal, Jharkhand and Odisha.
- In some areas, they are also known as Mahatos or Kurmis.
- Some Kudmis have moved from the Chota Nagpur plateau region and can be found in Assam and northern West Bengal.
- They are largely farmers and have a strong cultural heritage.
- They speak Kurmali, a language of the Indo-Aryan family.
- During British rule, they were classified as a primitive tribe, along with the Munda, Oraon, Bhumij, Kharia, Santhal, and others.

Excluded from the ST list after Independence:

- Kudmis were not included on the Scheduled Tribe list that was created in independent India after 1950. Since then, they have been struggling for their status as a Scheduled Tribe.
- The Kudmis claim that numerous papers from the British era recognised them as a tribe and an indigenous people of India, therefore they want their identity to be restored.
- Community members claim that some wealthy Kudmis sought to improve their social status as "Kshatriya" in the Hindu caste system during the British era, but others rejected this "Sanskritization."
- Historians claim that during the British era, certain Kudmis attempted to adopt the "Kshatriya" status. Many other Adivasi communities had also done this, not just the Kudmis.
- The majority of Kudmis continue to live according to their traditional faith and culture.
- A group of Kudmis claims that they were left off the ST list to demonstrate an increase in the size of the Hindu community.

What are their demands?

- They mainly have 3 demands:
    - To include Kudmis in the ST list
    - Include their language, Kurmali, in the Eighth Schedule of the Constitution.
    - Recognise Sarna as their religion.
- They have been demanding ST status and the inclusion of their language in the Eighth Schedule of the Constitution for a long time.

- They claim that they are the original inhabitants of the Chota Nagpur plateau and have been discriminated against by other communities.
- They also argue that they were recognised as a tribal community by the British government, but were excluded from the ST list after independence.

Kudmi Movement:

- The Kudmi struggle for ST status can be traced back to the 1950s, when certain community leaders began organising and advocating for their rights.
- They created organisations and petitioned various authorities to include them on the ST list. They also wanted recognition for their language and culture.
- Their movement gained momentum in the 1980s and 1990s, when the community organised various protests and rallies in West Bengal, Jharkhand, and Odisha.

Response of Government and Others:

- Their requests were ignored by various governments, both at the national and state levels.
- They faced opposition from other tribal groups, who believed that their share of reservations and benefits would be reduced if the Kudmis were accorded ST status.
- They also encountered opposition from some upper caste groups who refused to recognise them as equals.
- The National Commission for Scheduled Tribes (NCST) recommended that the Kudmis be included in the ST list in 1994, but no action was taken.
- A committee led by Justice Ranganath Mishra was established by the Union Government in 2004 to examine the situation of linguistic minorities and their constitutional rights.
- The committee delivered its recommendations in 2010, suggesting that Kurmali, along with 37 other languages, be included in the Constitution's Eighth Schedule.
- The government, however, did not implement the recommendations in the report.

Way Forward:

- The Kudmi community is one of many in India demanding recognition and justice for their identity and rights. Their movement represents their historical grievances and aspirations, as well as their current problems and potential.
    - Their desire for ST status and language rights is based on their claim to be an indigenous and separate ethnic group with distinct cultures and histories.
- However, this demand presents various difficulties and complexity, such as how to define tribal identity, how to accommodate linguistic diversity, how to balance competing interests of different groups, how to assure equal representation and development for all sections of society, and so on.
- These issues require serious thought and dialogue among all stakeholders, including the government, civic society, academia, the media, and so on.

- There is a need for a more inclusive and responsive governing system capable of effectively addressing the challenges and concerns of many communities.

Illegal Mining Issue:

Concerned about the illegal transportation of minerals through various routes, Odisha and Jharkhand are planning to impose restrictions on heavy vehicles in border areas and map these routes. The intention is to indicate areas where low-height barricades need to be erected or trenches dug.

Efforts to combat illegal mining are underway between Odisha and Jharkhand. Both states intend to exchange information on smuggling activities across the border and are planning to restrict heavy vehicle movement only to routes recommended by the transport departments of both states.

Unified check gates are proposed to be established jointly at various locations. These check gates will be manned by officials from mining, forest, commercial tax, and transport departments of both states.

Additionally, plans include relocating existing forest check gates and setting up new check gates in strategic areas to curb illegal mineral transportation.

Odisha has prohibited mineral storage for trading within a 40 km radius from the mines and intends to urge Jharkhand to enforce similar restrictions. Both states are also considering imposing restrictions on establishing crusher units within a 10 km radius on either side of the inter-state border to deter clandestine mining activities in bordering regions.

The focus is on various issues, including information sharing, regulation of mineral traffic, strategies to intensify enforcement activities, and the establishment of a specialized cell for monitoring illegal activities in border areas.

Left Wing Extremism:

The Centre has asked four Naxal-hit states to frequently hold Unified Command meetings for formulating a strategy to tackle the menace effectively.

Home Minister told governments of Bihar, Jharkhand, Odisha, and West Bengal to hold the Unified Command structure meetings more often so that anti-Naxal strategies could be constantly reviewed and formulated for better results.

The Unified Commands are headed by respective Chief Ministers, and the Chief Secretaries, DGPs, IGPs of paramilitary force are members. This security structure is created in each Maoist-hit state for coordinated action and intelligence sharing. Irregularity could lead to a letdown in the progress of the two-pronged strategy of action and development going hand-to-hand.

There have been instances in Jharkhand where splinter groups of Maoists have been active, requiring coordination among forces and better strategy.

The Zonal Council meeting reviewed various development schemes carried out in Naxal-affected areas and found discrepancies in the construction of fortified police stations among the states. In Jharkhand, out of 73 sanctioned fortified police stations, only two are yet to be completed. Odisha has 18 out of 52 sanctioned fortified police stations remaining to be constructed, and in West Bengal, one out of 17 police stations is yet to be completed.

In 2011, the Centre had announced the funding of 400 fortified police stations in 83 worst Maoist-hit districts across the country at a cost of Rs two crore each. The primary objective of these police stations is to prevent Naxals from easily attacking or storming into the stations. Measures like setting up double-storey buildings, high boundary walls, sophisticated control rooms, and watch towers are part of the fortification scheme.

ISSUES BETWEEN CHATTISGARH AND ODISHA

Land Border Dispute:

Odisha has dispute with Chhattisgarh over four villages in Nabarangpur district and one in Jharsuguda district.

Mahanadi Water Dispute:

The Mahanadi River is one of the major rivers in east central India, flowing through the states Chhattisgarh and Odisha. It originates in the hills of southeastern Chhattisgarh and covers a total distance of 887 kilometres before joining the Bay of Bengal. The Drainage Area encompasses approximately 141,600 square kilometers.

Odisha's Contentions:

- **Reduced Water Flow:**
  - **Infrastructure by Chhattisgarh:** Construction of 536 Anicuts and 30 Barrages affecting downstream flow into Odisha.
  - Alleged marked decrease in Mahanadi's flow into Odisha due to Chhattisgarh's rapid water utilization.
- **Historical Allocation:**
  - Alleged agreement in 1947, allocating 20.61 million acre-feet (MAF) of water: 12.28 MAF for Odisha and 8.33 MAF for the Central Province (predecessor of Chhattisgarh) regarding the Hirakud Dam.

- **Impact on Environment:**
  - Concerns about ecological balance, reduced irrigation, drinking water supply, and adverse effects on Mahanadi delta and coastal areas due to diminished water flow.

Chhattisgarh's Contentions:

- **Rights Over Catchment Area**: Chhattisgarh asserts that a significant portion (52.9% of the total catchment and 89.9% up to Hirakud) of the Mahanadi River's catchment area lies within its territory. It argues for the right to utilize water resources within its geographical boundaries for its developmental needs.
- **Dispute Over Historical Agreement:** Chhattisgarh contests Odisha's claims regarding the existence and validity of the alleged 1947 agreement. It refutes any binding agreement on water sharing established during that period.

Legal and Tribunal Proceedings:

- **Supreme Court Intervention:** Initially, Odisha brought the matter to the Union Government's attention, leading to a statutory complaint. Subsequently, Odisha filed a suit in the Supreme Court, which directed the formation of the Mahanadi Water Disputes Tribunal (MWDT) in 2018.
- **Tribunal Composition:** The MWDT, comprising three judges and two assessors, has been tasked with adjudicating the water dispute between Odisha and Chhattisgarh under the Inter-State River Water Disputes Act, 1956.

Recent Developments:

- The tribunal conducted extensive visits and inspections to assess the situation on the ground in the Mahanadi basin in both Chhattisgarh and Odisha.
- Challenges persist regarding disagreements over data interpretation, storage capacities, and water utilization between the involved parties.
- Future steps include planned assessments in Odisha covering critical areas like Chilika Lake and the Hirakud reservoir before reaching a resolution.

Significance of the Mahanadi River:

- **Water Resource:** The Mahanadi River is a critical water source for both Odisha and Chhattisgarh, supporting various sectors such as agriculture, industry, and domestic needs.
- **Economic Development:** Hirakud Dam creates a reservoir of 743 square kilometers, providing irrigation, flood control, and hydroelectric power to the region.
- **Ecological Importance:** The river sustains diverse ecosystems, supports wildlife, and is vital for maintaining the ecological balance of the Mahanadi delta and coastal areas.

The Mahanadi River water dispute encompasses historical, geographical, environmental, and developmental concerns that directly impact the livelihoods and environments of both Odisha and

Chhattisgarh. The tribunal's intervention and resolution of this complex issue are critical for achieving equitable water sharing, ensuring sustainable development, and preserving the ecological integrity of the Mahanadi River basin. Resolving this dispute will play a pivotal role in fostering regional cooperation and facilitating responsible water management practices for the benefit of both states.

Indravati Water Dispute:

The Indravati River, a significant tributary of the Godavari River, originates from the Ghats of Dandakaranya, particularly from the hilltop village Mardiguda in the Kalahandi district of Odisha. Formed by the confluence of three streams, the river flows westward, entering Jagadalpur in Chhattisgarh. Continuing on a southern route, it eventually merges with the Godavari River at the tri-junction of Chhattisgarh, Maharashtra, and Telangana. Throughout its course, the river serves as a boundary between Chhattisgarh and Maharashtra.

The Indravati River holds significant importance for the Bastar district of Chhattisgarh, often referred to as the "oxygen" of the region. This district boasts a reputation for being one of India's greenest and most eco-friendly areas.

Several hydroelectric projects, including Kutru I, Kutru II, Nugru I, Nugru II, and Bhopalpatnam, were planned along the Indravati River. However, these plans faced considerable opposition and did not materialize due to ecological concerns.

The river is deemed the "lifeline" of Kalahandi and Nabarangapur in Odisha and the Bastar district in Chhattisgarh, emphasizing its critical role in sustaining these areas' ecological balance.

However, disagreements and disputes over water sharing have arisen between Chhattisgarh and Odisha concerning the Indravati River. Both states had reached an agreement in 2003 for an equitable distribution of water during the post-monsoon period. Yet, recent grievances were raised by Chhattisgarh, claiming that the flow of water towards their state was obstructed by local farmers from Odisha. The Chhattisgarh water resources department urged the Central Water Commission to ensure the agreed-upon water sharing by installing gauging devices and monitoring the control structures on the river.

Previously, in 2002, Chhattisgarh and Odisha resolved a longstanding dispute over the sharing of Indravati river waters. Both states agreed to construct barrages across Indravati and Jora Nala, aimed at facilitating water withdrawal for both regions. The decision was made after prolonged discussions to settle the dispute, which had persisted even before the creation of Chhattisgarh in 2000, involving the undivided Madhya Pradesh and Odisha.

Kukrel Dam Issue:

Hundreds of tribal residents, including women and children, in Malkangiri staged a protest against the proposed Kukrel dam project situated over the Chakabaka river in neighboring Chhattisgarh. Under the banner of the 'Zilla Adivasi Sangh,' protestors took to the streets, brandishing traditional weapons, and submitted a memorandum to the Malkangiri collector opposing the dam's construction.

Their primary concern revolves around the potential impact of the dam, which could result in the submergence of 58 villages across seven panchayats in the Mathili block. These villages, namely Mahupadar, Salimi, Temrupalli, Kotapalli, Kiang, Kamarpalli, and Meka, are at risk of being inundated if the dam is built. This development would displace hundreds of people in the Mathili area and could significantly affect the local livelihoods, particularly due to the loss of forest land.

The protestors allege that the Chhattisgarh government has already awarded the dam's construction tender to a private firm. Urging the Odisha government to intervene, they demand a dialogue with their counterparts in Chhattisgarh to halt the dam's construction. They firmly assert their stance of not relinquishing any of their land and have threatened to escalate their protests if their concerns are not addressed promptly.

Internal Displacement in Odisha:

The state of Odisha grapples with a complex issue of internal displacement among its tribal communities due to various forms of conflict-induced violence. The plight of the tribals can be categorized into four primary forms of conflict, resulting in their displacement and upheaval:

- **Armed Conflict between State Forces and Maoist Cadres:** The presence of Maoist insurgency in tribal areas has led to intense armed conflict between state security forces and Maoist groups. This protracted conflict has caused significant instability, fear, and displacement among the tribal populace.
- **State Repression against People's Resistance Movements:** Tribal communities often resist land acquisition, mining projects, and other development initiatives due to inadequate consultation or violation of their rights. However, such resistance movements face state repression, resulting in violence and forcing these communities to abandon their homes.
- **Communal Riots between Ethnic and Religious Groups:** Instances of communal clashes among different tribal or religious groups lead to violence, disrupting the lives of the tribal population and compelling them to seek refuge elsewhere.
- **Forced Eviction of Forest-Dwelling Tribes:** The eviction of forest-dwelling and forest-dependent tribes from their ancestral lands due to various developmental projects or government policies results in violent displacement. This displacement affects their livelihoods, cultural ties, and socio-economic stability.

The repercussions of these conflicts are substantial, causing tribal communities to flee their villages and seek safety in neighboring regions. Intriguingly, while Kandhamal, a centrally located region, experiences significant internal displacement, other affected areas are mostly situated along inter-state borders. The decision of tribal displacement often intertwines with the regional political dynamics prevalent in these bordering states.

Instances of displacement include Koyas fleeing Chhattisgarh into Andhra Pradesh or Odisha, Oraons and Mundas seeking refuge from Jashpur into Sundargarh in Odisha or Palamu in Jharkhand, and Santhals fleeing West Bengal into Mayurbhanj of Odisha.

However, despite the evident displacement patterns, a critical limitation in understanding the full scale and impact of the displacement among these tribal communities is the lack of comprehensive empirical data. The absence of substantiated facts or a comprehensive survey hampers the assessment and comprehension of the situation faced by internally displaced tribal communities in Odisha.

NTPC Issue:

In 2016, Odisha's Chief Minister Naveen Patnaik sought the intervention of Prime Minister Narendra Modi concerning the welfare of 27 villages situated along the Odisha-Chhattisgarh border. These villages were anticipated to face adverse effects due to the construction of a 1,600 MW power plant initiated by NTPC in the neighboring state of Chhattisgarh.

The power project was being set up in Lara, Chhattisgarh, at a mere distance of about two kilometers from Odisha's border, specifically impacting 27 villages encompassing Kandeikela, Remata, Kanaktora, Charpall, Pithinda, and Badimal Gram Panchayats in the Lakhanpur block of Jharsuguda district.

Naveen Patnaik highlighted that the implementation of this power project would significantly impact the environment, livelihoods, and overall health conditions of the affected populace in the 27 villages of Odisha. He emphasized that the affected people and their representatives had consistently raised concerns about this issue.

One of the chief complaints by Patnaik was the absence of a public hearing regarding the environmental impact assessment in the villages affected by the project in Odisha, despite such hearings being conducted in the affected areas in Chhattisgarh.

Moreover, NTPC had initiated Corporate Social Responsibility (CSR) activities in nine villages in Chhattisgarh, completely sidelining the affected individuals on the Odisha side, as per Patnaik's statement. In his letter to the Prime Minister, Patnaik urged for suitable directives to be issued to NTPC authorities to address the legitimate concerns of the people in Odisha affected by the power project. The goal was to

ensure that their grievances and potential adverse impacts from the project were duly considered and mitigated.

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